' Application Number	Application/C 10/780,844		Applicant(s)/Patent Reexaminati n BACKES ET AL.	under		
Document Code - DISQ		Int rnal Do	cum nt – DO NOT MAIL			
TERMINAL DISCLAIMER			☐ DISAPP	☐ DISAPPROVED		
Date Filed : 2 August 2006	to a Te	t is subject erminal aimer				
Approved/Disapproved by:						
Henry D. Jefferson						

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TERMINAL	. DISCL	AIMER 1	го ов	VIATE A	PROV	ISIONAL	DOUBLE	PATENTING
RE	JECTI	ON OVE	R A PE	NDING	"REFE	RENCE"	APPLICAT	TION

Docket Number (Optional) 160-012

In re Application of: Backes, et al. Application No.: 10/780844

Filed: 2/18/2004

For: Transmission Channel Selection Method

The owner*, Autocell Laboratories of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Numbers 10/781228; 10/781192; 10/781309; 10/781147 and 10/781259, filed on 2/18/2004, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Date:			07-Aug-06 EWART, JAMES		APPL. S. N:	10780844 2617			
To Examiner:		Art Unit							
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SUBJEC	CT: Decisio	on on Termin	al Disclaim	er(T.D.) filed:					
orm pa or have	ragraphs i any quest	identified by tions, please	this inform see me or	al memo in your nex the Special Program	ct Office action to notify applicant Examiner. THIS IS AN INFORMAL				
	nitial, date	and return	this memo	to me. THANK YOU.					
I ✓	The T.D.	is PROPER a	ind has bee	en recorded (see 14.	23).				
	The T.D.	is NOT PRO	PER and ha	s not been accepted	for the reason(s) checked below	(see 14.24):			
	Γ	The TD fee	•		litted nor is there any authorizatio	n in the application file for the			
	Γ	The T.D. do	es not sati rest (and/o	sfy Rule 321 in that	the person who has signed the T.I nterest of the business entity repr 26.01).				
	Γ			orceable only during tion, Rule 321(b) (s	common ownership clause - need ee 14.27.01).	ded to overcome a non-statutory			
	Γ), which is not acceptable since "tl be granted" (MPEP 1490) (see 14	he disclaimer must be for a termina .26 & 14.26.02).			
	\vdash	The person who signed the T.D.:							
		is	not an atto	orney "of record" (se	e 14.29 and 14.29.01).				
		☐ ha	s failed to	state his/her capaci	ty to sign for the business entity (see 14.28).			
		is is	not recogn	ized as an officer of	the assignee (see 14.29 & possible	e 14.29.02).			
	Γ	nor is the re (see 37 CFF	eel and frai R 3.73(b) a	me number specified nd 1140 O.G. 72). N	e from the original inventor(s) to a l as to where such evidence is reco IOTE: This documentary evidence r in a separate paper of record in t	orded in the Office or the specifying of the reel and			
	Γ	The T.D. is	not signed	(see 14.26 & 14.26	.03).				
	Γ	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
	Γ	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
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have a	ppropriate	ely notified a	pplicant(s)	of the status of the	Terminal Disclaimer filed in this ca	ase.			
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